



**FILED**

08-20-07  
04:59 PM

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Application of California-American Water Company (U 210 W) to Decrease Revenues for Water Service in its Coronado District by (\$73,100) or (0.46%) in 2008 and Increase Revenues by \$266,200 or 1.67% in 2009 and \$260,900 or 1.61% in 2010.

Application 07-01-036  
(Filed January 22, 2007)

And Related Matters.

Application 07-01-037  
Application 07-01-038  
Application 07-01-039

**ADMINISTRATIVE LAW JUDGE'S RULING DENYING MOTIONS  
TO STRIKE THE OPENING AND REPLY BRIEFS OF THE  
MARK WEST AREA COMMUNITY SERVICES COMMITTEE  
AND THE TESTIMONY OF THOMAS GLOVER**

This ruling denies the Motions to Strike the Opening and Reply Briefs of the Mark West Area Community Services Committee (MWACSC) filed by California American Water Company (Cal Am). It also denies the Motion to Strike the Testimony of Thomas Glover on behalf of Cal Am filed by MWACSC.

Cal Am filed Motions to Strike the Opening and Reply Briefs of MWACSC On July 3<sup>rd</sup> and July 11, 2007, respectively. On July 17, 2007, MWACSC filed a Motion to Strike the Testimony of Thomas Glover. Thereafter, until July 27, 2007, the parties filed replies and responses to the replies of each others' Motions.

Cal Am's Motion to Strike the Opening and Reply Briefs of MWACSC is denied. Our procedural processes are complex and can be daunting for the

uninitiated. MWACSC is not represented by legal counsel, and I have given it great latitude in this proceeding due to that fact. For the most part MWACSC has done a good job of complying with our Rules of Practice and Procedure. I am disappointed, however, at MWACSC's failure or unwillingness to grasp the concept of confidential communications, even though previously cautioned against divulging such information. Although I am denying Cal Am's Motion to Strike, I am mindful of the arguments made in its motions and will grant MWACSC's briefs the appropriate weight.

MWACSC's Motion to Strike the Testimony of Thomas Glover is denied. I will not address the relative merits of MWACSC's arguments. MWACSC is an active participant in this proceeding and had ample opportunity to file a Motion to Strike when Mr. Glover's written testimony was served on the service list, offered as an exhibit in the evidentiary hearing and before it was received into evidence. There were no objections at any of those junctures and I will not grant a Motion to Strike at this time.

**Therefore, IT IS RULED that:**

1. The Motion to Strike the Opening and Reply Brief of the Mark West Area Community Services Committee filed by California American Water Company is denied.
2. The Motion to Strike the Testimony of Thomas Glover filed by the Mark West Area Community Services Committee is denied.

Dated August 20, 2007, at San Francisco, California.

/s/ LINDA A. ROCHESTER

Linda A. Rochester  
Administrative Law Judge

### **INFORMATION REGARDING SERVICE**

I have provided notification of filing to the electronic mail addresses on the attached service list.

Upon confirmation of this document's acceptance for filing, I will cause a Notice of Availability of the filed document to be served upon the service list to this proceeding by U.S. mail. The service list I will use to serve the Notice of Availability of the filed document is current as of today's date.

Dated August 20, 2007, at San Francisco, California.

/s/ LILLIAN LI

Lillian Li

\*\*\*\*\* SERVICE LIST \*\*\*\*\*

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